REMARKS

Claims 1-10 were pending. Claims 1, 6 and 7 have been canceled without prejudice to the subject matter defined by those claims. Claim 4 has been amended to recite that the superabsorbent material has odor control and to include the recitations of claim 1, thus making claim 4 independent. Claim 9 has been amended to recite that the hygiene product has odor control and to include the recitations of claim 7, thus making claim 9 independent. Support for the recitation of "odor control" may be found throughout the application, particularly in the title and paragraphs [0001] and [0004]. Claims 2, 5, 8 and 10 were amended to correct dependencies in view of the cancellation of claims 1 and 7.

The amendments to the claims are believed to place the claims in condition for allowance, thereby meeting the requirements of 37 C.F.R. § 1.116. No new matter was added. Claims 2-5 and 8-10 are now pending.

Claim 10 was objected to as incorrectly dependent on claim 1. The amendment to claim 10 is believed to make this objection moot.

Claims 1-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hansen et al., U.S. Patent No. 6,521,087. Applicants respectfully traverse this rejection.

Independent claim 4 is directed to a superabsorbent material with odor control which contains a non-acidic compound selected from acid anhydrides, lactides, lactones and hydrolysable esters. The non-acidic compound is present in an amount of 1-20 wt.% with respect to the weight of the superabsorbent material. Independent claim 9 is directed to a hygiene product with odor control comprising a superabsorbent material containing a non-acidic compound selected from acid anhydrides, lactides, lactones and hydrolysable esters. The non-acidic compound is present in an amount of 1-20 wt.% with respect to the weight of the superabsorbent material.

Hansen et al. is directed to polymeric and non-polymeric binders for particles and the use of such binders in binding particles to fibers. *Column 1, lines 34-36.* The Office Action describes Hansen et al. as follows:

> With respect to claims 1-3, 5-8, and 10, Hansen discloses a superabsorbent material comprising superabsorbent particles. A binder material consisting of gluconolactone (column 19, table 2) is bonded to the surface of the superabsorbent particles (figures 10 and 11; column 3, lines 46-48).

Office Action mailed December 13, 2003, page 2. A careful reading of the Hansen et al. patent shows that this characterization is not an accurate representation of the teachings of Hansen et al.

Hansen et al. describes a material with fibers, a binder and particles. The fibers are described in detail at least in columns 11 and 12. The particles are described in detail at least in columns 12-21. The binders are described in detail at least in columns 21-31. Column 19, Table 2, referred to in the Office Action, is entitled "Particulates for Binding". Hansen et al. describes the particulates in Table II as water-soluble particles that are capable of forming hydrogen bonds or coordinate covalent bonds and are suitable for use with the binders of the invention described. *Column 18, lines 13-17.* Hansen et al. further notes that "the particles listed in Table II have chemical properties that make them suitable for binding to fibers with the binders of the present invention." *Column 20, lines 40-42.* Thus, gluconolactone, as listed in Table II, cited in the Office Action, is not a binder as suggested, but a particle which is suitable for binding to fibers with the binders of Hansen et al. Superabsorbent particles are also disclosed as particles suitable for use with binders for binding to fibers. *Column 6, lines 36-38, 54-56.* There is no description in Hansen et al. of the particles of Table II bonded to the surface of the superabsorbent particles. Rather, the particles of Table II and the superabsorbent particles are to be used with the binders described in Hansen et al. for binding to fibers. *See, columns 12-20.*

The Office Action further states that with respect to claims 4 and 9, Hansen et al. discloses the binders are present in the weight percent of 0.5-80% of the total weight of the fibers and superabsorbent material and that Hansen et al. further discloses the superabsorbent material is 3-80% by weight of the fibers and particulate material. *Office Action mailed December*

12, 2003, pages 2-3. However, Hansen et al. teaches the binder is an amount of at least 0.01 to 80% by weight of the particles (*Column 32, lines 3-5*) or 0.01 to 50% of the total weight of the particles (*Column 6, lines 21-22*). The particles bound by the binder may be present in an amount of 0.05 to 80% of the total weight of the fibrous material. *Column 6, lines 28-30.* The superabsorbent particles are present in an amount of 3-80%. *Column 21, lines 3-4.* Hansen et al. does not describe superabsorbent particles which contain a non-acidic compound as defined in the claims nor that 1-20 wt% of such particles should be present. Given the lack of disclosure in Hansen et al. of superabsorbent particles which contain a non-acidic compound as defined in the claims, the broad ranges given in Hansen et al. for particles generally are not relevant to the superabsorbent materials and hygiene products of the rejected claims.

Hansen et al. is directed to providing a binder which can adhere particles to fibers. The teachings regarding superabsorbent material are directed to particles which may be adhered to fibers through the use of particular binders. Hansen et al. does not disclose any superabsorbent with particular properties such as odor control. As described in the present application and defined in the claims as amended, it has been found that a superabsorbent material with improved odor control can be produced by incorporating in or combining with the superabsorbent material a non-acidic compound selected from acid anhydrides, lactides, lactones and hydrolysable esters. The amount to be incorporated in or to be combined with the superabsorbent material can be 1-20% by weight. *Specification, paragraphs [0004] and [0006].*

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As set forth above, Hansen does not disclose each and every feature of the invention as defined in the rejected claims. Hansen et al. at least lacks a disclosure of a superabsorbent material which has odor control. Hansen et al. further lacks a disclosure of a superabsorbent material

which contains a non-acidic compound as defined in the claims and lacks a disclosure of the amount as claimed. Rather, Hansen et al. merely lists a myriad of particulates besides superabsorbent particulates which may be used with the binders described in Hansen et al. to adhere the particulates to fibers.

For at least the foregoing reasons, Hansen does not anticipate the invention as defined in the rejected claims and Applicants respectfully request that this rejection be withdrawn.

Applicants believe they have responded to all matters raised in the above referenced Office Action and that the application is now in condition for allowance. If the Examiner has any questions concerning this Application or this Reply and Amendment, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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I herby certify that this correspondence is being filed by facsimile transmission to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, to facsimile **number 1.703.872.9306** on this date, March 12, 2004.

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